

**BOROUGH OF DUMONT  
BERGEN COUNTY, NEW JERSEY  
EXECUTIVE SESSION MINUTES  
SEPTEMBER 4, 2012  
6:30PM**

Mayor Kelly called the meeting to order at 6:39PM

**Flag Salute; Moment of Silence**

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to ***The Record*** and the ***Ridgewood News***, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:** Council members Brophy, Carrick (left at 8:15PM), Hayes, Stylianou, Zamechansky-present

Councilman Freeman-absent

Mayor Kelly-present

Motion to accept agenda as presented: Councilwoman Zamechansky

Second: Councilman Stylianou

All in favor.

**Review of Consent Agenda Items:** All items with an asterisk are considered to be non-controversial by the Council and will be approved by one motion. There may be further discussion prior to the vote upon request of a member of the public or a Council member. Also, any item may be removed for further discussion or for roll call vote in which case the item will be removed and considered in its normal sequence as part of the general order of business.

**RESOLUTIONS**

#12-195 Certification of the 2011 Audit \* Councilman Carrick did not have enough time to review it and did not understand it. He did read the Comments and Recommendations.

Councilman Brophy thought it should be moved to non-consent. The CFO was asked to comment. She explained that this is just a certification that the Council received the audit.

**TABLED**

#12-196 Approval of Oktoberfest Street Fair October 6, 2012, Rain Date October 7, 2012 \*

#12-197 Approval of Block Party on Colonial Parkway September 8, 2012, Rain Date September 9, 2012 \*

#12-198 Authorization of Execution of Deed of Historic Preservation Easement \*

#12-199 Bills List \*

#12-200 Capital Budget Amendment-Depew Street –Council members Brophy and Hayes ask it be moved to non-consent

#12-201 Endorsement Resolution-Historic Preservation Trust Fund Matching Grant for the Library-\$87,400 \* Councilman Hayes asked if this was a matching grant and if it would be bonded. He asked that this be **TABLED**.

#12-202 Authorization to Lease 2013 Ford Interceptor Utility Police Package from State-contracted Winner Ford-\$34,625 \* Councilman Carrick questioned who would be using this vehicle. This item was part of the budget.

Motion open to the public: Councilman Carrick

Second: Councilman Brophy

All in favor.

1. Irwin Buchheister, 39 Cedar Road, asked for an explanation of Resolution #201. Mr.

Paster explained that this has to do with the Historic Preservation Grant from the County.

Motion to close: Councilman Carrick

Second: Councilman Stylianou

All in favor.

Motion to approve the consent agenda minus #195 and #201, which were tabled and #200 which was moved to non-consent: Councilman Stylianou

Second: Councilman Carrick

Roll call vote: Council members Brophy, Carrick, Hayes, Stylianou, Zamechansky-yes

### **Non-Consent Agenda**

#12-176 Mike O'Connor and Mike "Joe" Sherban-DPW-Approval of \$5,000 Raise in Base Salary for each (previously tabled) It was agreed by the Council to table-**TABLED**

#12-189 Authorization of Execution of Bergen County ADA Cooperative Curb Ramp Construction and ADA Cooperative Engineering Design Grant Agreements (previously tabled)

Motion to open to the public: Councilwoman Zamechansky

Second: Councilman Hayes

All in favor.

Mr. Paster explained that this does not obligate the Borough to expend any money. If any ramps have to be installed in the future the County offers an attractive program.

Motion to close to the public: Councilman Stylianou

Second: Councilman Carrick

All in favor.

Motion to approve #189: Councilman Carrick

Second: Councilman Stylianou

Roll call vote: Council members Brophy, Carrick, Hayes, Stylianou, Zamechansky-yes

#12-200 Capital Budget Amendment-Depew Street

Motion to approve: Councilman Stylianou

Second: Councilman Brophy

Motion to open to the public: Councilman Carrick

Second: Councilman Brophy

All in favor.

1. Kai Chen, 90 Teak Road, asked for details. The administrator explained that this is an outright grant for \$146,500 from the DOT.

Motion to close to the public: Councilman Stylianou

Second: Councilman Carrick

Roll call vote: Council members Brophy, Carrick, Hayes, Stylianou, Zamechansky-yes

## **ORDINANCES**

### *Second Reading*

#### **#1445 Salary Ordinance-Amend and Supplement-TABLED**

Motion to waive second reading: Councilwoman Zamechansky

Councilman Hayes said he has a problem with some of the wording and the way the job titles are written down. He asked if there is any way to change the way it is written. He would like longevity included in the salary ranges and also some people do several jobs.

Mr. Perkins explained that this is the format always used. He would check with the auditor.

The Mayor explained to Councilman Hayes that this ordinance is just the salary ranges. When new contracts come up, the Council can change job descriptions.

Councilman Hayes said for the record that when renewal contracts come up he would like to add language or description to them. He doesn't want it to be blanket and go back to this.

Councilman Brophy said he had asked for the previous salary ordinance at the last meeting so that he could compare them and has not received it. The municipal clerk stated that she sent it by e-mail to the Mayor and Council following that meeting. The Mayor and other council members said that they did receive it. The Mayor stated he did not see any major changes.

Second to waive: Councilman Stylianou

All in favor.

Motion to open to the public: Councilman Hayes

Second: Councilman Carrick

All in favor.

1. Barbara Correa, 240 Larch Avenue, agreed that the names should be in the salary ordinance to see how many people hold how many hats. It's a little deceptive.
2. Kai Chen, 90 Teak Road asked whether the previous ordinance is in force until this ordinance is adopted. He objected to any extension of salary ranges. It should be 0%. Otherwise, he believes because of the budget shortfall next year it's possible someone next year could lose their job or have their hours cut.

The CFO said that there were some job titles that had to be incorporated in this ordinance also.

The adopted budget includes a 2% salary increase for non-contractual employees.

The Mayor stated that since there is so much confusion, the ordinance would be **TABLED** until the next meeting. He also asked that the CFO send them the changes from the 2010 salary ordinance.

#### **#1446 Amendment of Chapter 36 Fire Department of the Borough of Dumont Code**

Motion to waive formal reading: Councilman Stylianou

Second: Councilman Hayes

All in favor.

Councilman Hayes, Fire Department liaison, spoke to the Fire Chief and he is good with it.

Motion to open to the public: Councilman Hayes

Second: Councilman Brophy

All in favor.

Motion to close: Councilman Stylianou

Second: Councilman Brophy

All in favor.

Motion to adopt: Councilman Carrick

Second: Councilman Hayes

Roll call vote: Council members Brophy, Carrick, Hayes, Stylianou, Zamechansky-yes

#1447 Bond Ordinance-West Shore Avenue Walking Path/Gazebo-\$160,000

Councilman Hayes is strongly against this. Dumont should not bond any more money on this. The Borough is bonded out too much. He doesn't disagree that this would be a very nice addition to the town but at this time with the financial restraints on the town and with next year's budget coming up, it would be a bad idea. He wanted his comments on the record.

Motion to waive formal reading: Councilman Stylianou

Second: Councilman Carrick

All in favor.

Motion to open to the public: Councilman Stylianou

Second: Councilman Carrick

All in favor.

1. Kai Chen, 90 Teak Road, asked whether the grant mandates the construction of a gazebo. Mr. Perkins responded that it was in the overall grant request to the County. Mr. Chen thinks the walking path is a great idea but the gazebo would be constructed in a semi-industrial part of town. He doesn't think someone would want to have wedding pictures taken with an industrial background. Also, a structure like this would require maintenance.
2. Irwin Buchheister, 39 Cedar Road, asked why we have to bond if this is a grant. What happened to the gazebo that was in the park?  
The response was that it was destroyed. It was set on fire a couple of times. Mr. Carrino, Borough engineer, explained that the gazebo is a part of the arboretum. The Shade Tree Commission uses it for teaching students. They are looking into a cost-effective low-maintenance structure.
3. Kai Chen said that what happened to the gazebo in the park should be weighed and they should be careful of the scope that's involved.

Motion to close: Councilman Stylianou

Second: Councilman Brophy

All in favor.

Councilman Carrick asked if the Council would have insight on what they want to do with it.

The Mayor responded there would definitely be further discussion before implementation.

Motion to adopt on second reading: Councilwoman Zamechansky

Second: Councilman Stylianou

Roll call vote: Council members Brophy, Carrick, Stylianou, Zamechansky-yes

Councilman Hayes-no

*First Reading*

#1448 Bond Ordinance providing for improvements to Depew Street, by and in the Borough of Dumont, in the County of Bergen, State of New Jersey; appropriating \$150,000 therefor and authorizing the issuance of \$142,850 bonds or notes of the Borough to finance part of the cost thereof-\$150,000

Motion to waive formal reading: Councilwoman Zamechansky

Second: Councilman Brophy

All in favor.

Motion to pass on first reading: Councilman Carrick

Second: Councilwoman Zamechansky

Roll call vote: Council members Brophy, Carrick, Hayes, Stylianou, Zamechansky-yes

### **ADMINISTRATOR PERKINS' REPORT**

As a result of the audit report, the CFO will begin working on the corrective action. The Health Department and Municipal Court reports were completed by the auditor and found to be in line.

Following a meeting with the auditor, the Clerk, the CFO and himself the auditor compiled purchasing procedures, including a flow chart, for the Governing Body's comments.

On Thursday the fire insurance services will be in town to do an evaluation on fire protection in the Borough. This is performed approximately every ten years in order to establish premiums for both residential and commercial properties.

### **ENGINEER'S REPORT**

The EIT II project is progressing. It is approximately 30% complete. They are moving toward Thompson. There were some utility conflicts on Larch. There was an eight inch gas main that was supposed to be five to six feet off the curb but took a 45 offset unbeknownst to PSE&G. T&M tried to get the gas company to relocate the gas main but they said it would be months before they could get to it, which would delay the project tremendously and therefore cost the Borough money. Therefore, the plans had to be revised and they were sent to the contractor. There is also a sanitary sewer in that area, which had to be relocated. One of the alternates to clean the culverts was not awarded to the bidder because it was hopeful that the DPW could do the job. However, they don't have the equipment needed. Therefore, it will be recommended to award that alternate to Tomco. There is also a severe silting issue south of Madison Avenue, which is outside of the project's scope of work. The Borough is trying to get the County to clean the culvert from the end of Brook Street through its terminus where it opens up the brook. Mr. Carrino is also recommending that several hundred feet of the ditch that has been silted over south to the Senior Citizens building on Dumont Avenue be included. A letter was submitted to the County and they met with representatives to request that they clean that section. There is a meeting scheduled with DEP September 20<sup>th</sup>.

Councilman Hayes asked if there would be a change order for relocating the gas main.

Mr. Perkins asked if there is any liability on PSE&G's part due to the redesign of the 45 offset. Mr. Carrino responded that once he has a firm dollar amount, the next step would be to sit down with PSE&G so that hopefully they would perform the work and save the town money.

Councilman Brophy asked if there was any chance the County would not clean out the culvert at Madison. Mr. Carrino responded that they were very receptive.

The design for Phase III, which is the permit phase, is 60% complete. Once the permit is received it is good for about five years.

Mr. Carrino is requesting that the County fund the study for the New Milford and West Shore Avenue flooding.

There is a property on Magnolia Avenue which has a low yard. They have sump pumps and have done everything they could to stop flooding of their property. They have requested that they be permitted to discharge their pumps into the street where it slopes to a catch basin. It was the recommendation of the Building Department.

### **COUNCIL COMMITTEE REPORTS**

- Councilman Brophy

### *Board of Education*

The Councilman attended a meeting on August 23<sup>rd</sup>. It was reported that there was a slight increase in enrollment of kindergarten students at Grant and Honiss schools. There was discussion about possibly moving students to Lincoln School or bringing in a teacher's aide to handle the expanded class size. The bleacher project is progressing nicely. They also discussed the increased cost and nutritional guidelines of the school lunch program.

- Councilman Carrick

Sal LaCoppola wrote a letter regarding the 5K Run and thanked the town for all they have done for his family while they are dealing with his wife's illness. He especially wanted to thank Councilman Stylianou and Councilwoman Zamechansky who ran the event.

- Councilman Hayes

### *Joint Land Use*

The last meeting was cancelled due to lack of agenda

- Councilman Stylianou

### *5K Run*

The LaCoppola family and the Barber family were the recipients of the net proceeds. Linda LaCoppola is suffering from stage IV brain cancer. Barney Barber, who has two young kids, was killed in an accident. Both families always stepped up when the community needed them.

This year there were 700 runners, about 60% more than in the past. Dumont High School's teams participated to support the cause. Even people who are not doing well financially contributed. That's what this town is all about-people coming together when people really need them. The Councilman thanked the high school for their cooperation. He thanked the co-chairs of the 5K committee-Councilwoman Zamechansky and Rafael Riquelme. Councilman Brophy got the DJ. Coach Bennett got the high school teams to participate. Frank Krajick did whatever was needed. Lt. Conner made sure the route was locked down and safe. He also thanked everyone on the dais for their contributions. Councilman Stylianou thanked the professionals who contributed to this event and to those who didn't-shame on them.

- Councilwoman Zamechansky

### *Dumont Day*

This Saturday is Dumont Day. There will be a concert that night sponsored by Mariner's Bank.

## **ATTORNEY'S REPORT**

There were two pending complaints to the Government Records Council. The Records Council vindicated the Municipal Clerk unanimously for her denial of certain records in 2010 specific to the DPW investigation and some billing records. Mr. Paster's office supported the Clerk's office and the Borough in connection with these complaints.

The closing for the lease monetization of the DPW wireless phone antenna was funded; funds were received on or about August 20<sup>th</sup>.

The red light camera RFP's have been reviewed and based on discussion with the Mayor, action has been delayed.

Mr. Paster's office reviewed and summarized the Historic Preservation Easement Deed and concurs in its execution based upon the County's grant participation in the recent improvements.

The municipal clerk read the resolution to enter closed session to discuss collective bargaining agreements-police promotions and lease or acquisition of real property with public funds-Washington Avenue.

Motion: Councilman Stylianou

Second: Councilman Brophy

Roll call vote: Council members Brophy, Hayes, Stylianou, Zamechansky-yes

Motion to go back into public: Councilman Stylianou

Second: Councilman Hayes

All in favor.

Motion to adjourn: Councilman Hayes

Second: Councilman Stylianou

All in favor.

Meeting adjourned at 9:30PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk